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"Clean Air Act"

Max S. Baucus

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Senator * or Department*: **BAUCUS**

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MONTH/YEAR of Records*: **March-1992**

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(1) Subject*: **Environment**

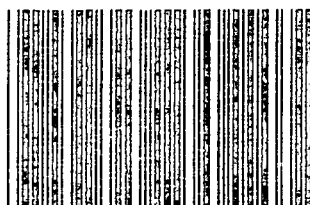
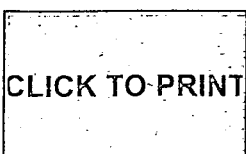
(select subject from controlled vocabulary, if your office has one)

(2) Subject* **Clean Air Act**

DOCUMENT DATE*: **03/13/1992**

(Example: 01/12/1966)

* "required information"



BAUCUS

STATEMENT OF SENATOR MAX BAUCUS (D-MT)
CLEAN AIR ACT
MARCH 13, 1992

What happened to the Clean Air Act?

Congress passed the law. The President signed it. The President is required to implement it. But George Bush has flopped again.

In 1988, he promised to be the "environmental President." In 1990, he signed the Clean Air Act into law, which he is touting as the most significant environmental achievement of his administration.

But now in 1992, he is stalling on the enforcement of the new Clean Air Act regulations, and actually helping industry avoid reducing emissions of air pollutants.

Days before the Michigan primary, the Administration prepared two proposals that pander to Detroit auto executives. Both these regulations are of uncertain air quality benefit, neither is required by the Clean Air Act, and in fact, one of them actually violates the Act.

These proposals were approved by the Administration only two days after the Environmental Protection Agency had finished them.

Meanwhile, ten other critical Clean Air Act regulations have been languishing for months at the White House.

The Bush Administration is stalling on the announcement of required emissions standards for toxic air pollutants that cause cancer, birth defects and other problems. This is a serious breach of George Bush's promise to the American people that could have a disastrous effect on the public's health, the environment, and the national economy.

In the 22 years since the Clean Air Act was first passed, EPA has regulated only 7 toxic chemicals. The regulation EPA finished 2 1/2 months ago would cover almost all of the 189 chemicals listed for regulation under the Clean Air Act. But the White House won't budge on this rule.

These organic chemical regulations would control over 1 billion pounds per year of toxic air emissions, or about 1/3 of the total amount expected to be controlled by the Clean Air Act. This means fewer cases of cancer, fewer health problems for those living near chemical plants, and lower health care costs for affected citizens.

These emission control regulations, if they were ever promulgated, would have economic benefits as well.

Let me explain. In the 22 years since the Clean Air Act was first passed, EPA has regulated only 7 toxic chemicals. To correct that situation, the Clean Air Act specified 189 other toxic chemicals the agency should set standards for.

EPA finished its regulation covering most of them two and one-half months ago. They sent it to the White House and nothing has been heard of it since.

These organic chemical regulations would control over 1 billion pounds per year of toxic air emissions, or about 1/3 of the total amount expected to be controlled by the Clean Air Act. This means fewer cases of cancer, fewer health problems for those living near chemical plants, and lower health care costs for affected citizens.

And in addition to the health benefits, these emission control regulations, if they were ever promulgated, would have economic benefits as well.

According to a draft study prepared for EPA, full implementation of the air toxics provisions of the Clean Air Act would generate between 1.1 and 1.4 billion dollars worth of revenue annually for pollution control companies between 1992 and 1995. And even more thereafter.

So while the industry is spending money to comply with the law's public health requirements, it is also creating new, good paying jobs for those who design and build pollution control equipment.

Another example of the White House's backtracking involves the requirement for cleaner fuel, termed "reformulated gasoline" to be sold in our nation's most polluted cities.

The reformulated gasoline regulations were prepared as part of a new process called "regulatory negotiation", in which representatives from the affected industries, States, and environmental groups participated.

Even though all these participants signed an agreement on the production of cleaner gasoline, the Administration still has not released the regulations. They have been sitting at the White House for over 3 months.

Other regulations affecting the auto industry also have been delayed for months, including new operating permit rules, which are the key to effectively enforcing the Clean Air Act.

Similarly, EPA's guidance to States on how to meet air quality standards on time has also been stalled by the White House for months. Without this guidance, many States and cities will be left in the dark when it comes to writing their State implementation plans.

Also, industries in those States will not know what is expected of them and may not have sufficient lead-time within the deadlines provided in the Act.

Mr. President, there is a clear pattern to me. Rules that implement the pollution control requirements in the Act are being stalled, weakened, and quashed, while rules that provide exemptions, waivers, or bail-outs move quickly.

These actions are reminiscent of the Reagan-Bush Administration's repeated efforts to deregulate America.

The effect is that millions of families across America will face a greater risk of disease and higher health care costs because industry will not control its emissions of toxic chemicals and other pollutants.

And the businesses of the future - those that control pollution - could languish. Their jobs will not be created. America will lose its economic edge in pollution control technology.

Already, Japan and Germany are aggressively pursuing pollution control opportunities. If they succeed while we lag behind, developing nations in Eastern Europe, Africa and beyond will buy Japanese, not American products. Countries facing public health and environmental problems will contact firms in Germany, not the United States. We can retain our leadership only by pressing ahead at home.

By turning our back on the future, we are repeating the mistakes of the past.

The Clean Air Act is now being dissected and diluted by a President who is breaking his promise to the American people. The result is that the public suffers while the President plays to industry executives.

If the President is really serious about his promise of cleaner air for all Americans, he should get his Administration to work on those parts of the Clean Air Act that really matter.

But if he wants to play primary politics instead, then the American people will have yet another reason to distrust any politician that promises one thing, and delivers another.